

Direct Testimony of

David Van Wy, JULIE, Inc.

On Behalf of the

Staff of the Illinois Commerce Commission

Village of Dixmoor

Docket No. 04-0080

March 5, 2004

1 **Q. Please state your name and business address.**

2 A. David Van Wy, JULIE, Inc., 3275 Executive Drive, Joliet, Illinois 60431.

4 **Q. By whom are you employed and in what capacity?**

5 A. I am the Northern Illinois Damage Prevention Manager for the Joint Utility
6 Locating Information for Excavators (JULIE, Inc.), a not-for-profit corporation
7 with approximately 1,750 members. I am responsible for implementing
8 proactive outreach campaigns targeting members, potential members,
9 professional and non-professional excavators that promote the use and
10 growth of JULIE, Inc.

12 **Q. Please state your work history**

13 A. I joined JULIE, Inc. in October 2001 after serving as a damage prevention
14 manager for ComEd. Previous to that I worked for a contract locating firm
15 in several states, including Illinois for several years.

17 **Q. On whose behalf are you testifying?**

18 A. I am testifying on behalf of the Staff of the Illinois Commerce Commission
19 ("Staff").

21 **Q. What is the purpose of your testimony?**

22 A. I will explain the steps that JULIE has taken, in general, to assist utility
23 facility operators in compliance with Section 3 of the Underground Utility
24 Facilities Damage Prevention Act, 220 ILCS 50 ("the Act"). I will also detail
25 the contacts that JULIE has had with the Village of Dixmoor with regard to
26 JULIE membership and explain its membership status as of this date.

28 **Q. In general, what steps has JULIE taken to assist utility facility
29 operators to comply with Section 3 of the Act?**

30 A. Our team implemented a variety of proactive outreach methods and
31 traveled across the state to meetings with public works directors, village
32 officials and representatives from potential members. We met one-on-
33 one and in group settings to review membership forms, explain the JULIE
34 system and to answer questions. In September 2002, I talked with

Donald Luster, a representative with the village, and forwarded a membership packet.

Letters, newsletter articles and flyers were sent to village representatives. News releases were sent to statewide newspaper publications. JULIE staff also attended municipal and industry events and functions to promote membership, including the Illinois Municipal League conference and South Suburban Mayors and Managers meetings. The JULIE Web site also highlighted the importance of becoming a member.

The Public Relations Department worked with the Illinois Commerce Commission Staff ("ICC Staff") to send out two letters, prepared by the ICC Staff, warning of the requirement to join JULIE.

Q. What specific contacts has JULIE had with the Village of Dixmoor?

A. JULIE sent letters to Dixmoor, and many other potential members on the following dates: February 28, 2003; November 7, 2002; July 3, 2002; April 22, 2002 and October 29, 2001. The February and November letters were written by the ICC Staff. Because JULIE already had the database, equipment and staff to send out a large mailing, JULIE offered to prepare and mail the letters on behalf of the ICC Staff. Those letters were printed on ICC letterhead, and sent postage prepaid in an envelope bearing the Commission's address as the return address. Copies of the October 2001, April 2002 and July 2002, letters sent to Dixmoor are attached to this testimony as Staff Exhibits 2.1, 2.2 and 2.3 respectively. At Dixmoor's request, a membership packet and cost study summary were sent to Dixmoor on September 18, 2002.

In addition, a representative hired by the village has been in touch with me within the past week to discuss membership. Another membership packet has been sent this week and I have a meeting scheduled with this representative on March 10, 2004, at which time the city council is expected to also approve membership.

69 **Q. What is exhibit 2.4?**

70 A. Exhibit 2.4 is a copy of the cost study summary provided to Dixmoor in
71 September 2002. The table shows the calculation of the estimated annual
72 membership costs based on the number of calls that the potential member
73 would have received over a designated 12 month period. This information
74 is typically used as a guide for budgetary reasons for new members.
75

76 **Q. For the Village of Dixmoor, what was the estimated JULIE membership**
77 **cost and how was it determined?**

78 A. The annual call volume estimate for the village was 194. Depending upon
79 the delivery method option chosen by the member, this number would be
80 multiplied by either 80 cents for e-mail/printer (95 cents in 2004), \$1.30 for
81 fax (\$1.45 in 2004) or \$1.80 for manual (\$1.95 in 2004). The original cost is
82 the rate prior to April 2003 when a rate adjustment approved by the JULIE
83 Board went into effect (numbers in parenthesis). Most small facility
84 operators use either the fax or manual notification process because the
85 equipment costs are less.
86

87 **Q. Did you provide an estimated JULIE membership cost for Staff to use**
88 **in their penalty calculations?**

89 A. Yes. The number provided to Staff was the estimated number of tickets that
90 the village would receive in a year. This was not the actual cost, but as
91 discussed above, was the number which could be multiplied by the cost of a
92 member's chosen delivery method option (e-mail/printer, fax or manual) to
93 arrive at a final cost estimate.
94

95 **Q. On February 10, 2004, the date this proceeding was initiated, was the**
96 **Village of Dixmoor a member of JULIE?**

97 A. No. JULIE, Inc. keeps a file on all current members of JULIE and also has a
98 list of potential members. The file is up-dated on a weekly basis. I checked
99 the file on February 20, 2004, and the Village of Dixmoor was not included
100 in the list of members on that date.
101

102 **Q. Is the Village of Dixmoor a JULIE member as of the date of this**
103 **testimony?**

104 A. No. I again checked the file on March 2, 2004, and the Village of Dixmoor
105 was not included in the list of members on that date.

106

107 **Q. Does this complete your direct testimony?**

108 A. Yes.

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